

1 Whereas, while most states sharply curtailed their sterilization programs after
2 World War II, nearly four-fifths of sterilizations in North Carolina were performed after
3 1945; and

4 Whereas, the governors of Virginia, Oregon, South Carolina, and North
5 Carolina have issued apologies for these forced sterilizations, and Governor Michael F.
6 Easley established a committee to investigate the State Eugenics Sterilization Program
7 and consider compensation or counseling services for these persons; and

8 Whereas, the Speaker of the House of Representatives, the Honorable Joe
9 Hackney, established the House Select Committee on Compensation for Victims of the
10 Eugenics Sterilization Program to study proposals to compensate persons sterilized
11 under the Program; and

12 Whereas, the General Assembly finds that persons sterilized as a result of the
13 State's eugenics sterilization program should be compensated; Now, therefore,
14 The General Assembly of North Carolina enacts:

15 **SECTION 1.(a)** Any person who, as a result of the eugenic sterilization
16 program in this State, was sterilized between the years 1929 and 1975 shall receive
17 compensation as provided for in this section if the person submits a claim before June
18 30, 2014.

19 **SECTION 1.(b)** A claim under this section may be submitted to the
20 Department of Health and Human Services. The claim shall be supported by appropriate
21 verification and information as determined by the Department.

22 **SECTION 1.(c)** The Department shall determine the eligibility of a claimant
23 to receive the compensation authorized by this section. The Department shall notify the
24 claimant by mail of its determination regarding the claimant's eligibility.

25 **SECTION 1.(d)** The Department shall adopt rules that will assist in the fair
26 determination of eligibility and the processing of claims. The Department, however,
27 shall not be obligated to notify any person of possible eligibility for compensation.

28 **SECTION 1.(e)** A claimant under this section who is determined eligible by
29 the Department shall receive twenty thousand dollars (\$20,000). All claims which the
30 Department determines are eligible for compensation shall be immediately forwarded to
31 the State Treasurer, who shall issue warrants in the appropriate amounts upon demand
32 and verification of identity.

33 **SECTION 2.** There is established the Eugenic Sterilization Compensation
34 Fund. Funds appropriated to this Fund shall not revert until the claims verified by the
35 Department of Health and Human Services under Section 1 of this act are paid. The
36 Fund shall be kept on deposit with the State Treasurer, as in the case of other State
37 funds, and may be invested by the State Treasurer in any lawful security for the
38 investment of State money. The Fund is subject to the oversight of the State Auditor
39 pursuant to Article 5A of Chapter 147 of the General Statutes.

40 **SECTION 3.** There is appropriated from the General Fund to the State
41 Treasurer the sum of eighteen million four hundred eighty thousand dollars
42 (\$18,480,000) for the 2009-2010 fiscal year to fund the Eugenic Sterilization